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DOCKET NO.: V0139.70028US00

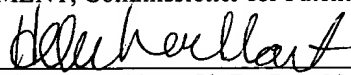
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Martha Karen Newell
Serial No.: 09/277,575
Confirmation No.: 3748
Filed: March 27, 1999
For: METHODS AND PRODUCTS RELATED TO
METABOLIC INTERACTIONS IN DISEASE

Examiner: Francois P. Vandervegt
Art Unit: 1644

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 11 day of August, 2005.


Helen C. Lockhart, Ph.D., Reg. No. 39,248

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:


- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180.00 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Martha Karen Newell, Applicant

By:


Helen C. Lockhart, Ph.D., Reg. No. 39,248
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Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: V0139.70028US00
Date: August 4, 2005
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Helen C. Lockhart, Ph.D., Reg. No. 39,248

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

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8/16/2005 EFLORES- 00000134 09277575

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08/16/2005 EFLORES 00000134 09277575 180.00 OP
01 FC:1806

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the enclosed search report or other communication from a corresponding International Application.

<u>Docket No.</u>	<u>Serial No.</u>	<u>Mailing Date</u>	<u>Type of Communication(s)</u>
V0139.70059WO00	PCT/US00/17245	18 December 2000	International Search Report
V0139.70059WO00	PCT/US00/17245	25 September 2001	International Preliminary Examination Report

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

Serial No.: 09/277,575
Conf. No.: 3748

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Art Unit: 1644

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

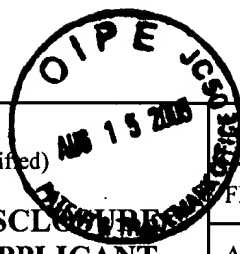
Respectfully submitted,
Martha Karen Newell, Applicant

By:



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Telephone: (617) 646-8000

Docket No.: V0139.70028US00
Date: August 11, 2005
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FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICATION NO.: 09/277,575		ATTY. DOCKET NO.: V0139.70028US00	
		FILING DATE: March 27, 1999		CONFIRMATION NO.: 3748	
		APPLICANT: Martha Karen Newell			
		GROUP ART UNIT: 1644		EXAMINER: Francois P. Vandervegt	
Sheet	1	of	2		

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	4,724,234		Cone, Jr.	02-19-1988
	A2	6,133,946		Cavallaro et al.	10-17-2000
	A3	2003/0150022	A1	Newell et al.	08-07-2003
	A4	2004/00054291	A1	Rogers et al.	01-08-2004
	A5	2005/0042224	A1	Newell	02-24-2005
	A6	2005/0074882	A1	Newell	04-07-2005
	A7	2005/0158333	A1	Newell	07-02-2005

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B1	WO	00/78941	A2	Newell	12/28/2000	
	B2	WO	03/031643	A2	Newell et al.	04/17/2003	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1	Agrawal, S. et al. "Antisense therapeutics: is it as simple as complementary base recognition?" <i>Molecular Med. Today</i> , Vol. 6, pp: 72-81, 2000	
	C2	Bouillaud, F. et al. "A sequence related to a DNA recognition element is essential for the inhibition by nucleotides of proton transport through the mitochondrial uncoupling protein," <i>The EMBO Journal</i> , Vol. 13, No. 8, pp: 1990-1997, 1994	
	C3	Branch, A. "A good antisense molecule is hard to find," <i>Trends in Biochem. Sci.</i> , Vol. 23, pp: 45-50, 1998	
	C4	Chirila, T. et al. "The use of synthetic polymers for delivery of therapeutic antisense oligodeoxynucleotides," <i>Biomaterials</i> , Vol. 23, pp: 321-342, 2002	
	C5	Crooke, S. <i>Antisense Research and Application</i> , (Ed. by S. Crooke), pp: 1-50, Springer-Verlag, 1999	
	C6	Eliopoulos, AG et al. "CD40 Stimulation Augments Apoptosis In Carcinoma Cell Lines," <i>J. Cellular Biochem.</i> , (supplemental 19B), Abstract B8-123, pg. 271, 1995	
	C7	Lobato, M. et al. "Intracellular antibodies and challenges facing their use as therapeutic agents," <i>Trends in Molecular Medicine</i> , Vol 9, No. 9, pp: 390-396, 2003	
	C8	Morimoto, H. et al. "Overcoming Tumor Necrosis Factor and Drug Resistance of Humor Tumor Cell Lines by Combination Treatment with Anti-Fas Antibody and Drugs or Toxins," <i>Cancer Research</i> , 53(11), pp: 2591-2596, 1993	
	C9	Pihl-Carey, K. "Disease Drug Fails in Phase III," <i>BioWorld Today</i> , Vol. 10, pp: 1-2, 1999	

EXAMINER:

DATE CONSIDERED:



FORM PTO-1449/A and B (Modified)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 2 of 2

APPLICATION NO.: 09/277,575

ATTY. DOCKET NO.: V0139.70028US00

FILING DATE: March 27, 1999

CONFIRMATION NO.: 3748

APPLICANT: Martha Karen Newell

GROUP ART UNIT: 1644

EXAMINER: Francois P. Vandervegt

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C10	Palu, G. et al. "In pursuit of new developments for gene therapy of human diseases," <i>Journal of Biotech</i> , Vol. 68, pp: 1-13, 1999	
	C11	Stayton, P. et al. "Molecular engineering of proteins and polymers for targeting and intracellular delivery of therapeutics," <i>Journal of Controlled Releases</i> , Vol. 65, pp: 203-220, 2000	

EXAMINER:

DATE CONSIDERED:

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]